

CPSA 2010

Regional Special Purpose Bodies for Transportation and Transit:

Canada, the UK and USA

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(8,057 words)

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## INTRODUCTION

How does one resolve the problems of a fragmented metropolis where boundaries are fluid and there is social, economic and political complexity? Debates in the United States have focused in the past on metropolitan fragmentation (governance bodies that compete to meet citizen preferences) versus consolidation (where boundaries are expanded to cover the functional area). Much of the debate between these opposing perspectives – public choice (fragmentation) and reformist (consolidation) – has since moved on to a focus on the role of special purpose bodies at a regional level. Within the academic literature, there is increasing consensus between these positions that some local governance functions are best pursued at a regional level and with a specialized focus. For instance, Stephens and Wikstrom (2000) write that “...virtually all scholars of urban affairs, including those of the public-choice school, agree with reform advocates that some services—such as mass transportation.... due to their basic operating character and the benefits derived from economies of scale—should be delivered on a regional basis” (p. 490).

There are several reasons why regional special purpose bodies are being increasingly advocated and adopted. Firstly, cities continue to grow beyond current jurisdictional boundaries requiring some kind of administrative body to operate in certain policy spheres to either provide programs or services and/or planning capacity. Regional special purpose bodies have arisen as flexible institutions to fill in this gap without

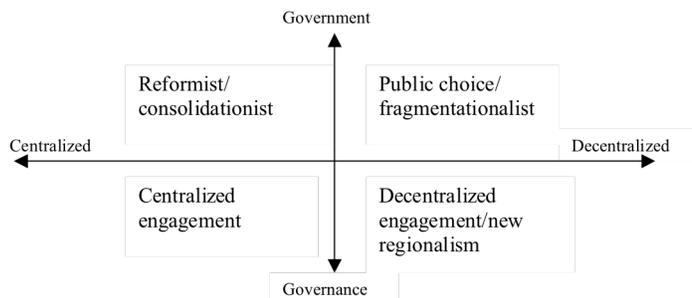
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requiring formal reorganization of local government. Secondly, it has been argued that special purpose bodies can be better placed than local government to meet planning or service delivery needs due to their functional specialization. Thirdly, they have been advocated as important institutional mechanisms to address allocative or redistributive concerns across a regional area. Fourthly, the creation of such bodies has been viewed as a solution to the fractious interests and shortsighted planning of ward-centric systems of local government where there are constant jurisdictional negotiations at community/neighbourhood level. Regional special purpose bodies are meant to move the level of decision making away from local politics towards a platform where the ‘regional good’ can be considered. They are thought to provide a level of coordination and collaboration that would be otherwise difficult to achieve across metro-regions where there are entrenched interests. In this way, they represent a shift towards governance – as understood as the “public administration of inter-jurisdictional relations and third party policy implementation” (Frederickson, 2008, 132).<sup>i</sup> This perspective fits into the bottom quadrants in the chart below where special purpose bodies are understood as an institutional response to regional complexity involving multi-level governance relations.<sup>ii</sup> Governance across the bottom two quadrants can be pursued in a centralized or decentralized manner.

Chart I. Summary of regionalist debates/positions



Others have advocated the adoption of such bodies based on the understanding of cities as important nodes in an international system, requiring empowerment to adjust their boundaries and the financial resources to maintain economic competitiveness (Lefebvre 1998, 22).<sup>iii</sup> In recent years the Organization for Economic Cooperation and Development (OECD) has become an influential advocate of this approach, which advocates market-driven processes to achieve public goals, encouraging private sector

behaviours in policy planning—e.g., risk taking, city branding/marketing, and innovation with a profit motivation (ibid, p. 8).<sup>iv</sup> Overall, while there is growing consensus that regional special purpose bodies can provide an important solution to many of the problems of large urban areas – the debate now lies in how to best achieve regional planning and structure regional governance within the different emergent positions and diverse political economies.

### Background, *aims and structure*

Special purpose bodies (SPBs) have been around for a very long time. For example, as early as 1532 a general law was enacted in England authorizing special purpose bodies under the Statue of Sewers.<sup>v</sup> As another example, writing on the topic of special purpose bodies in 1940, Fox and Fox note that: “once again, municipal government is meeting demands by piecemeal adaptation of old forms” (176). Here they are referring specifically to the creation of housing authorities in the United States – a new policy sphere for special bodies. The reasons that Fox and Fox listed in 1940 for the creation of these entities rings true today. For example, the desire to match institutional boundaries to shifting social and economic needs; using SPBs as a substitution for the annexation of adjacent suburbs; or corporate independence to afford administrative flexibility or freedom from certain restrictions (e.g. debt restrictions). However, there are of course great differences between the environment in which SPBs operated at the time of Fox and Fox’s writing to now – particularly a shift from the historic function of planning towards, for example, a pro-active entrepreneurialism, in line with a competitive cities approach and the scale at which such entities are now adopted (across a broad metropolitan region with multiple jurisdictions).

The term ‘special purpose body’ is broad and can imply governance at different geographic scales and with differing institutional composition and policy or service delivery focus. The term ‘bodies’ is used throughout to be inclusive of the various institutional types – e.g., (agencies, boards, commissions). These agencies or special purpose bodies often operate like independent local governments within their policy spheres. They are most frequently found in the developing world, Central and Eastern Europe and the United States (Newton and vanDeth 2005, 85). In the United States,

special purpose bodies (often termed regional districts) have now become the most common type of local government body, far surpassing the total number of municipalities.<sup>vi</sup> This paper is specifically concerned with large-scale special purpose bodies - those that are regional in scope and focus on regional planning<sup>vii</sup> functions around transportation, transit and land use. Canadian examples of this institutional type include the regional transportation planning agencies of Metrolinx (in Greater Toronto) and Translink (in Greater Vancouver) – though there are significant differences between the two approaches and the functions they encompass.

The adoption of regional SPBs is not benign - they have profound social, environmental, political and economic implications. For example, regional SPBs are often associated with large-scale mega-projects. Such activities have a substantial impact upon urban development as well as broad fiscal and equity implications. Though governance composition can differ quite a bit across SPBs, they have a tendency to be insulated from more stringent political accountability, so as to be able to push through regional large-scale initiatives. At the same time, they often involve either a close, direct relationship with other levels of government (as a hierarchy) or else work collaboratively as a network with other levels of government. In this way they add to the complexity of governance at the regional scale as another layer in intergovernmental relations. Planning operates in a nested fashion. Local planning initiatives are guided by locally-derived planning requirements (e.g., official plans, by-laws and regulations) but must also adhere to the planning regulations of upper level governments and planning bodies. Federal, provincial and municipal regulations and official plans together constitute the planning environment and create constraints and focus planning in certain ways. SPBs often add another layer to this nested planning environment – thereby impacting the planning policies at other scales. Perhaps most importantly, the creation of SPBs alters the allocation of resources in a city region. For example, evidence from the United States suggests that metropolitan areas with specialized service delivery allocate proportionally more resources to those services than areas that do not have such bodies (Foster 1999, 22). In the words of Foster (1999) special purpose governance bodies “are not policy neutral substitutes for general purpose governance – [i]nstitutional choices matter” (22). As urbanization continues and coordination and service delivery across mega regions

becomes increasingly problematic, undoubtedly these types of entities will continue to be adopted – meriting an examination of a governance approach that will be subjected to increasing public and political scrutiny.

In particular, the adoption of regional SPBs has important implications for the regional political economy – impacting resource allocation, decision- making (and accountability) and urban form. Though there are differences by institutional type, SPBs have a tendency to insulate the political and bureaucratic accountability of policy decisions at the regional level. This criticism of the role of boards and agencies in a city’s affairs go back as far as the turn of the century (Lightbody1995, 18). The use of SPBs at a regional level further amplifies this disconnectedness from elected accountability. In order to address and inform these issues, the paper will: i) explore the typology of regional special purpose bodies and; ii) explore their historical development in Canada, the United States and the UK. The conclusion discusses their merits and drawbacks, with a focus on the implications of special purpose body adoption in the Canadian context.

## TYPES OF REGIONAL SPECIAL PURPOSE BODIES

There are many different types of regional special purpose bodies. While their adoption signifies an important trend in urban governance – the vast differences in the types of these bodies makes comparisons between them or overarching analyses of their trends very difficult. Regional special purpose bodies can be conceptually ‘messy’ to categorize due to their many variations. Most of the research into these entities has focused on specifically chosen and well-qualified case study analyses for this very reason. Commenting on this Newton and vanDeth write that the attempt to match services and functions with different types and levels of local government can result in a “complex and confusing structure of authorities” (2005, 85). Here, they note that the U.S. offers an extreme case of this complexity - where there are “85,000 units of local government in the form of general purpose authorities, special purpose authorities, home-rule cities and cities without home rule, and a bewildering range and variety of other agencies” (ibid). Philadelphia is highlighted as one example of this complexity and is described as having more units of local government than there are countries in the world. Similarly, New

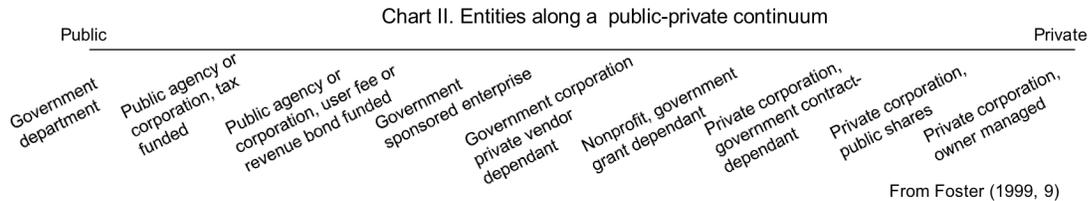
York City has an estimated 1,5000 local government and service units. In terms of overarching trends, it is found that the number of special purpose bodies has increased in Canada, the United Kingdom and the U.S. in the past two decades (Newton and vanDeth, 2005, 90). Broadly speaking, regional special purpose bodies have two clear features – they are regional in scope (however that be defined) and functionally specialized. What is less clear is where they fall within a continuum of formal government and more institutionally informal coordination, as well as where they fall within the public-private divide.

On the one hand, they could be described on a spectrum of institutions from those that are institutionally heavy or rigid (e.g., formal government) to those that are institutionally light or flexible (e.g., models involving voluntary cooperation). Regional special purpose bodies can be considered somewhere in the middle of the spectrum. They are often described as ‘governance’ bodies, which are meant to imply a middle ground between formal government and informal cooperative mechanisms. For example, the chart below is summarized from a 2006 OECD document and places special purpose bodies in the middle of the spectrum – as a form of cooperative arrangement.<sup>viii</sup>

Table I. Models of regional-governance			
Institutionally Heavy-----◆-----Institutionally Light			
Type	Functional models	Cooperative arrangements	Informal coordination
Institutional features	Governance matches functional social-economic area with decision-making power at the regional level distinct and autonomous. Cross-sectoral competencies. Metropolitan reform tradition.	Inter-municipal joint authorities, voluntary or ad hoc. Can entail a single purpose or sectoral authority or a multi-purpose regional body.	Platforms, associations, strategic planning partnerships. Do not necessarily follow the logic of territorial boundaries. Often emerges in the preparation of strategic plans.
Source: Table content summarized from OECD (2006) <i>Cities in a Global Economy</i> (pgs. 156-200).			

Related to this continuum, confusion often occurs over the public or private status of SPBs (Foster 1999, 8). In *The political economy of special purpose government* (1999), Foster outlines a continuum of bodies along the public-private spectrum. Her study of special purpose government does not specifically focus on regional special purpose bodies – however, the continuum can still be applied. The left-hand side shows

the ‘public’ side of the spectrum and begins with ‘government departments’ while the right-hand side depicts the ‘private’ side of the spectrum ending with ‘private corporation, owner managed’. Regional special purpose bodies tend to fall in the middle-



left of the spectrum. SPBs are not government departments where there are clear lines of accountability and authority stemming from an elected model of representation with either Ministerial responsibility at the state/province or federal level or Mayoral/council responsibility at the municipal level.<sup>ix</sup> Instead they would begin to fall under that of a ‘public agency or corporation, tax funded’ and might extend to ‘government corporation, grant dependant’ – though there are arguments to be made that ‘non-profit, government grant dependant agencies’ should be included. This last type is quite uncommon in the context of regional planning entities that pursue transportation, transit and land use function.

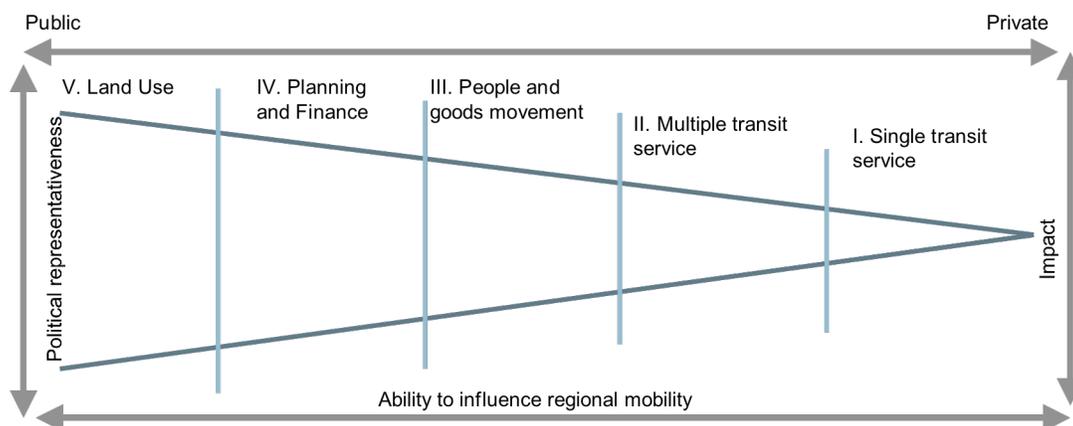
Public agencies or corporations are among the most common institutional type found for regional special purpose bodies for transportation and transit. A public agency (or corporation) is generally distinct from that of a department or ministry and created under its own Act and is not a term that is usually applied to bodies created under local government authorities. In Canada, the 1951 federal Financial Administration Act (FAA) declared that crown corporations are ultimately accountable, through a minister, to Parliament, but are not subject to budgetary systems or direct control of a minister in the same way as government departments (Langford, 1982, 620). The Greater Toronto Transportation Authority (Translink), for example, is a government agency created under its own Act by the Ontario provincial government and is currently tax funded (though this is expected to change after 2013). A central rationale for the creation of government agencies is that they permit a public entity to undertake commercial operations without constant government intervention and oversight – allowing for “more scope for efficiency at the tactical and operational levels” (ibid). A related type to this is that of a public transport federation or verkehrsverbund as it is often called because the model originated

in Germany (in 1965). This model is a corporation or authority as defined above (depending on the level of government involved) but with a major distinction being that it is jointly held by governments and is typically focused more on strategic and tactical level planning while leaving the existing transport agencies intact.<sup>x</sup>

As one moves from the right to the left of the public-private continuum there is an inherent trade of between the degree of public-representativeness and public accountability and that of insulation from publicly accountable decision-making. Much of this is also dependant upon the organizational structure and, related to this, organizational culture. For example, some public agencies have adopted corporate style boards, while others in the area of transportation and transit planning have elected representatives from different levels of government on their boards. Hence the organizational and governance structure of regional special purpose bodies is a further factor to consider in a description of typologies. Whether an organization has elected (or appointed-elected) representatives versus non-elected representatives is a major distinction.

Regional SPBs also differ by function. The chart below depicts such functions on a spectrum from those that provide a single transit service, to those that are empowered to pursue land use planning. The greater the number of functions, the greater the entity’s ability to influence regional mobility and hence their overall regional impact. Planning and finance activities enable an SPB to influence individual behavior through price mechanisms and to create a system of incentives and disincentives by modal type. Land use planning functions allow an SPB to pursue investments in a strategic manner and determine growth patterns over a longer term – shaping a city’s urban morphology.

Chart III. Transportation levels of integration



Graphic influenced by Conference Board of Canada, 2005, p.30, originally from Translink.

The chart above also combines the model depicting entities along the private-public continuum. There are several features of note. Empirically, in a review of regional SPBs in the area of transportation it is found that entities that include land use, planning and finance functions tend to be closer to the public end of the spectrum. These functions are extremely influential with enormous potential impact thereby requiring a greater degree of political representativeness. The levels of government under which these powers would fall would be unlikely to cede control in this policy area given its importance. Further, such an action may be perceived as undemocratic, insulating an important policy sphere from electoral accountability (despite, in the case of regional SPBs this rarely being directly elected accountability). While the model presented above is based on a jurisdictional review of regional special purpose bodies, it can also be considered a normative model for it proposes that entities which incorporate land use, planning and financing functions have a greater ability to influence regional mobility and that such entities have a tendency to be closer to the public side of the spectrum. Hence, those regional SPBs of the more public variety have a greater ability to influence regional transportation mobility.

The discussion above requires a further qualification – that of the level of government involvement. Planning and policy influence over transportation and land use operates in a nested fashion, with upper level governments having greater control in terms of both regulatory measures and funding. Therefore, the ability to influence regional transportation issues can be greater for upper tier governments. This will differ depending on the jurisdictional responsibility for urban affairs in a nation state. Federal governments can, for example, influence the creation of regional SPBs – they can mandate the necessity for them to be in place in order to receive federal funding (e.g, in the case of Metropolitan Planning Organizations in the United States). They can also regulate the types of technologies being adopted across a sector (e.g., engine size, emissions abatement technologies), and can structure environmental transportation inducements through program funding. Similarly, Provincial or State governments can employ regulatory and financial measures to create a system of incentives and

disincentives regarding transportation across a regional area as well as determine land use. Comparatively, local governments have less influence over these policy measures to induce change and may instead be required to structure investments according to the requirements of upper tier governments. As such, their ability to impact regional mobility may be compromised. However, this is in part dependant on the degree to which they are financially beholden to upper tier governments and their degree of local autonomy. Another important factor is the geographic scale at which the entities are operating.

The discussion above has highlighted several important factors in the consideration of regional SPB categorization across a range of spectrums - governance versus government; decentralization versus centralization; public versus private; and the spectrum of transportation functions and levels of integration. Common features among regional special purpose bodies are that they have the authority to undertake public activities, have the ability to enter into a contract, have the right to sue and be sued, and have the ability determine a budget. However, the vast differences in institutional composition and powers make large-scale comparative research into SPBs difficult. The remainder of this paper will examine how and, the extent to which, regional special purpose bodies have developed and been adopted in Britain, the United States and the Canada and consider the merits of different approaches.

## THE HISTORICAL DEVELOPMENT OF REGIONAL SPECIAL PURPOSE BODIES: BRITAIN, UNITED STATES AND CANADA

When transit began operating at the turn of the twentieth century it was largely provided by private companies. Government involvement during this early period was generally limited to projects with large infrastructure investment – e.g., metro and subway systems. As cities continued to grow, problems with privately provided transit became apparent: i) low density and low income areas were under-served by private, profit motivated companies; ii) there became a tendency for cutthroat competition between competitors with the eventual outcome of consolidation and monopoly by one firm where after fees would be increased, and iii) uncontrolled competition led to uncoordinated and duplicated transit services (Vuchic 2005, 430). Over time, pressures for public ownership grew – particularly given the mass urbanization of the period and the competition from private

automobile use. After the First World War and throughout the interwar period, public takeover of private transit systems became common in Canada, Britain and to a lesser extent, in the United States. The need for government control was realized based on several factors: i) the large scale investments required by transit systems; ii) their characteristics of a natural monopoly; iii) their importance as an essential public service and; iv) their impact on urban land use and growth (Vuchic 2005, 430). The ideological turn of New Public Management in the 1980s and a commitment to smaller government, again saw a shift back to private transportation and transit provision – though this was more so the case in Britain (under the influence of Margaret Thatcher) and the United States (under the influence of Ronald Reagan) than in the case of Canada. In this manner, the trajectory of government involvement in the transportation and transit sectors of city region has not been linear. Rather, it has shifted over time and according to the ideological tenets of the day.

As cities have continued to grow – with higher or nodal densities being found across regions encompassing multiple local government units – private transit companies and city area public transit agencies have been found to inadequately serve these broader areas in a coordinated manner. This is not solely the problem of transportation and transit - governmental structure has simply not kept pace with the development of large metropolitan regions. It is within this environment that regional SPBs have been adopted as a flexible institutional solution where the benefits of comprehensive multi-modal planning across a city region are increasingly apparent.

In a discussion of the general direction of change for metropolitan governance, Hall writes that there has been “more governance than government” across metro-regions, but that “regional governance is simply not as sustained, coherent, complete or competent as it could be” (in Phares eds., 2004, 22). Wallis (1994 in Phares eds., 2004, 22), in a historical overview of the evolution of metro-regions, points to three waves of overlapping reforms. The first stage has involved consolidation and annexation, where the region is economically dominated by the central city. The second stage involves fragmentation where metro-regions evolve into polycentric structures and where jurisdictional competition is meant to act as the driver for enhanced service delivery. The third wave is described as ‘responses to new realities’ driven by capacity factors (e.g.,

more consensual decision making, the involvement of private and non-profit decision making at the regional scale and the willingness of elected representatives to negotiate across a metro region) and demand factors (e.g., allocative, redistributive, and services delivery issues). Many others have described this evolution among similar terms, sometimes employing the term ‘new regionalism’ to signify the third wave of regional governance. In examining how regional SPBs have been adopted across the United Kingdom, the United States and Canada, these three stages are often recognizable, however they have not always been followed in order of one another – reinforcing Hall’s earlier point.

### United Kingdom

Local government in the United Kingdom has been through successive waves of major reform - in 1973 and then, partially in 1986 and the 1990s. The 1973 reforms under the Conservative government of Edward Heath established two-tier metropolitan and non-metropolitan county and district councils in England and Scotland.<sup>xi</sup> The 1973 reforms were driven by ideological, political and practical imperatives. Smaller government (and less government) was favored. Also, the conservative’s main political strength lay at the time “in counties, rather than the cities, and the Act of 1973 reflects this interest by effectively abolishing county borough status” (Robson 1974, 517). Finally, the existing fragmentation of local government units was deemed duplicative and ineffective.

Commenting on the impact of these reforms, Stoker (1999) writes that “various functions and responsibilities were stripped away from local authorities or organized in a way that obliged local authorities to work in partnership with other public and private agencies in the carrying out of functions” (1999, 1). Hence, a movement towards governance and an increasing array of partnerships at the local level characterized the reforms. In 1986, metropolitan county councils were abolished and later, unitary authorities were adopted in many areas in the 1990s. Local government reforms continue piecemeal – for example, in 2009, a further nine unitary authorities were created. Summarizing the impacts of these successive reforms, Atkinson and Wilks-Heeg write that, “elected local government is now just one of a number of actors involved in the shaping and delivery of local services [and that] the involvement of new agencies in

service delivery and the development of non-elected local government have given rise to concerns about both democratic accountability and the future of elected government (2000, 120).

Corresponding to the significant local government reforms seen in the 1970's, the conservative government also ushered in changes to the transportation sector over the 1970's and 1980s – specifically the privatization of transit operations. Significant pieces of legislation over this time were: the 1980 Transport Act that deregulated express coach services and liberalized bus operation; the 1984 London Regional Transportation Act that took public transport in London away from local government control and introduced comprehensive tendering; the 1985 Transport Act that deregulated the supply of local bus services; the 1993 Rails Act that established passenger rail services that were let to the private sector and; the 2000 Transport Act that among other things, provided for some re-regulation in parts of the transport sector and led to the creation of the short-lived Strategic Rail Authority. This has had lasting repercussion on service delivery and transportation and transit governance. In an assessment of these changes, Young writes that the “privatization led to the fragmentation of public transport undertakings and made it much more difficult to promote integrated investment programs” (1999, 189).

There are two major types of regional SPBs in the UK for transit and transportation functions - regional transportation authorities and joint boards. Transport for London is the most well cited example of regional special purpose bodies in the UK. Hull (2005) writes that political structures at the local level have been “too focused on local administrative units and not the coordinated control of public transport provision at the conurbation or city-regional level (2005). Hull highlights the effectiveness of the Greater London Authority and Transport for London (TfL) as examples of entities that have “used their institutional resources and competencies, which have extended well beyond unitary authority boundaries, to hold at Bay the disintegration of public transport services in the capital (ibid). Transport for London (TfL) is a regional, multi-modal transport authority for great London. The Mayor of London appoints the entity's board members. The Greater London Authority is a strategic regional authority governing (TfL) composed of the directly elected London Mayor and a 25 member elected assembly.

The problem of providing coordinated transportation and transit services across jurisdictional boundaries is also sometimes met through the creation of joint boards whose representatives tend to be appointed councilors from the constituent jurisdictions. Examples in the area of regional transportation of this type are Passenger Transport executives, which are responsible to Integrated Transport Authorities (formerly known as Passenger Transport Authorities prior to the 2008 Local Government Act). The earliest of this type of regional SPBs were adopted in the 1960s. While TfL incorporates strategic, tactical and operational functions, joint boards for transportation tend to not have operational or service responsibilities. Rather, they act as coordinating bodies and offer funding for certain initiatives and subsidies for some services. These bodies - composed of elected representatives and municipal public servants – are a form of institutionally light informal coordination (see Table I).

## United States

Like the United Kingdom, fragmented government at the local level also characterizes the United States – though comparatively much more so. Further, the degree of local government fragmentation in the US is on the rise (Rothblatt, 1994, 518). There are many types regional SPBs in the United States in the areas of transportation and transit planning that fall all along the spectrums shown in Chart three. There are however, three major types that stand out: federally mandated Metropolitan Planning Organizations; special purpose districts for transportation and; regional transportation authorities. Each is here discussed in turn.

In 1962, the US Congress passed legislation requiring the creation of a Metropolitan Planning Organizations (MPO) for any urbanized area with a population greater than 50,000. MPOs were adopted so as to ensure that federal transportation resources were put to appropriate use in a strategic manner – conforming to a regional strategic vision. They also serve to facilitate intergovernmental collaboration and cooperation with the transportation sector and the broader public. This process is referred to as the 3Cs – a ‘continuing, comprehensive and cooperative planning process’.

A history of MPOs by Mark Solof notes that they can trace their roots to the “Progressive Era” of planning (1900-1920s).<sup>xii</sup> It was during this period that the need for

regional scope and coordination among planning processes was recognized and an increased role for the federal government in this area was advocated. During this time, some of the first regional special purpose authorities were adopted, such as the Port Authority of New York and New Jersey (1921).<sup>xiii</sup> The Great Depression of the 1930's saw a heightened level of federal involvement in regional transportation planning, in line with national priorities. Later, the Post War boom would usher in another area of such investment and promoted the formation of Councils of Government to collaborate on regional plans. By the 1950's, federal funding was focused greatly on highway expansion. The increased levels of federal funding over this time and into the 1960s provided a major rationale for the 1962 legislation that mandated the creation of MPOs.

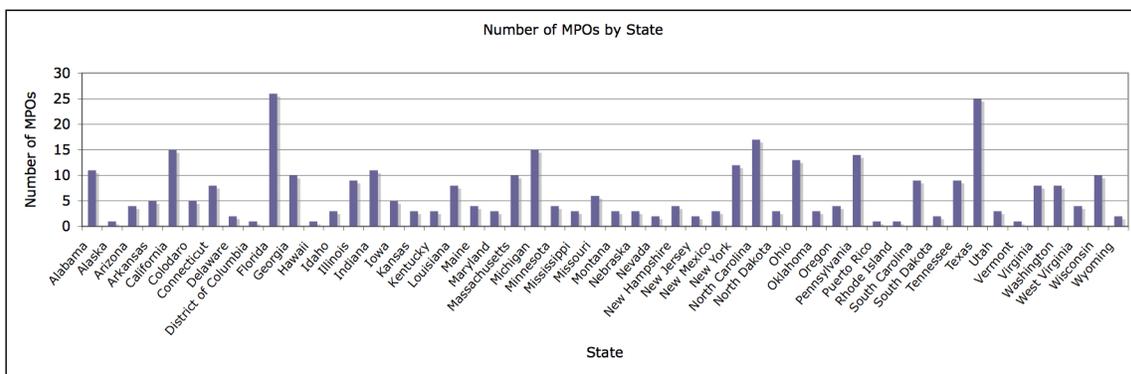
By the 1970s, there was increasing pressure for MPOs to address environmental concerns (the first wave of environmentalism) and it was during this time that their focus became increasingly multimodal.<sup>xiv</sup> This was also an era that saw a democratization of MPOs – with the stipulation added in 1975 that they must include representation from “principle elected officials”. The 1980's saw a strong reversal in federal involvement in regional transportation planning – the Regan administration abolished 38 of the 39 federal programs that underwrote regional planning for transportation. While the requirement for MPOs was sustained, it was subsequently left up to each state to define their roles. As a consequence, MPO functions differ vastly by state to this day.

By the 1990's the enactment of the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) expanded the mandate, authority and funding of MPOs.<sup>xv</sup> Significantly, the Association of MPOs writes that the enactment of the ISTEA “encouraged movement away from modal parochialism toward integrated, modally mixed strategies for greater system efficiency, mobility and access” (2010). Federal MPO funding was also significantly increased after the adoption of the ISTEA.

As has been mentioned, the functions of MPOs can differ considerably by State. There are currently 342 MPOs across the United States. The chart below depicts the number of MPOs by State as a percentage out of the total. Florida has the greatest number of MPOs (with 26 MPOs or 7.6% out of all MPOs) followed by Texas (with 25 MPOs, or 7.3% out of total). MPOs are allocated federal and state funding (e.g., through matching grants) and typically do not have the authority to raise their own funds. The

majority of MPOs are governed by a policy committee which includes elected or appointed officials from local government, representatives of different transit modes, state agency officials and non voting members and staff advisors. One of the few exceptions to this is Portland’s Metropolitan Planning Organization, which is the only directly elected MPO in the United States. In some cases, existing organizations such as county, a council of governments, independent government organizations or regional governments have come to function as MPOs. For Portland, Metro (the regional government) is the MPO, while in Minneapolis-St. Paul, Minnesota metropolitan area, the Metropolitan Council is the MPO. Both of these MPOs are considered amongst the most enabled (in terms of authority and scope) to pursue regional planning. Notably, both agencies administer urban growth boundaries for their respective regions.

Chart IV. Number of Metropolitan Planning Organizations by State



Source: Data compiled from the Association of Metropolitan Planning Organizations, <http://www.ampo.org>

Regional special purpose districts present yet another type of SPB. The 2002 US Census of Government, lists there to be 948 single purpose special district governments for transportation<sup>xvi</sup> where the specialization of highways constituted the largest majority (78.2% out of the total) (U.S. Census Bureau, 2002, 13). Unfortunately, the Census of Governments does not provide very detailed information on the nature of such districts and as such, it is difficult to quantify the number of entities that pursue transportation and transit planning functions of the type discussed in this paper. In a breakdown of special district governments for transportation by function (see chart below), it is found that the majority in the 2002 Census were entities that provide program or services by contractual

arrangements, closely followed by entities that directly provide programs or services with their own employees.<sup>xvii</sup> In order to be counted as a special district government (rather than be classified as an agency for a county, municipality, town/township or state government) an entity must have the following attributes: existence as an organized entity, governmental character and substantial autonomy (US Census Bureau, 2002a, vii). For example, the Metropolitan Transportation Authority (MTA) of New York - the largest public transportation provider in the Western Hemisphere - is classed as a public benefit corporation but is also a transportation district. The New York MPO for this area is a separate entity – the New York Metropolitan Transportation Council.<sup>xviii</sup> Other notable transportation district entities are the Sound Transit in Greater Seattle and the Los Angeles County Metropolitan Transit Authority.

Table II. Census of special district governments for transportation operation by function

Function	All special district governments	Directly provides program or service with own employees	Indirectly provides program or service by contractual arrangements	Constructs public facilities by contract of with own employees	Finances public facilities by issuing public debt	Leases public buildings of facilities to others	Not answered
Transportation	948	229	235	154	63	78	475

Source: US Census Bureau (2002) Census of Governments, 1(1), Government Organization, December.

The final types are regional transportation authorities that are classed under the Census of local governments as subordinate agencies of a government. The regulation of these entities, again, differs considerably by state. In some cases – e.g., Idaho – such entities can be established by a city, county or highway district subject to voter approval (US Census Bureau 2002b, 75). In other cases – e.g., Arizona - such entities can only be adopted if the governing body constitutes 51% of the population of the county (or counties) and where the policy board is elected (ibid. 14). In the cases of Arizona and Michigan, such entities are given the financial powers to issue bonds, levy a metropolitan public transit authority property tax and fix fares and other charges.

Delineation of typologies in the case of the United States is extremely problematic. In an interview with Stephen Owens, the Branch Chief of Government Organization for the US Census Bureau, it was explained that the great diversity amongst institutional types across States stems from the “doctrine of governmental immunity” (Owens, Interview, May 7, 2010). Owens noted that as a very general rule, MPOs tend to function at the strategic planning level, while districts and authorities tend to focus more

on tactical and operational capacities. Specifically, out of the three types examined, districts tend to have the most heightened operational functions. Further, districts tend to denote a geographic boundary area, while authorities may not have such boundaries. However, across States, the meanings of any such typology becomes blurred as there are many exceptions across cases. Owens further noted that the Census of Government Bodies hasn't changed its treatment of planning functions since the 1970's. The Department for Government Organization recognizes that planning has changed significantly since that time and that this is an area that certainly requires updated treatment. For example, MPOs are not separately classed in the Census and their planning functions are instead included under their constituent local government units.

## Canada

While local governance in the United States and the United Kingdom to a lesser extent are characterized by fragmented complexity, this is much less so the case in Canada, particularly when focusing on regional SPBs. Canada has far fewer types of regional SPB entities than the United States and never experienced the levels of privatization seen in the UK and US. This section will focus on presenting specific examples of regional SPBs – of which there are relatively few.

In Canada, local administration constitutionally falls under the purview of provincial or territorial governments and means that local government can differ considerably by province. The most common class of local government is the municipality – with a directly elected council.<sup>xix</sup> In the 1940s and 50s, post war urban growth in Canada began to necessitate some form of metropolitan regional planning. Entities such as Manitoba's Metropolitan Planning Commission of Greater Winnipeg, British Columbia's Lower Mainland Regional Planning Board, Victoria's Capital Regional Planning Board and Edmonton and Calgary's planning commissions were created over this period (Hooge & Robinson 2001, p. 233). By the 1980s most of these structures either changed significantly in form or were abolished (ibid). There were also post war local government reforms, led by Ontario, which created two-tier metropolitan government. Two-tier government, where constituent municipalities elect or appoint

elected representatives to a regional body, are now less common in Canada. Many were abolished through a host of municipal amalgamations to a one-tier system in the 1990's and 2000s. There are exceptions to this – for example in British Columbia, where regional districts remain (as a form of two-tier local government).

The large-scale amalgamations seen in many cities across Canada in the 1990s and later were an attempt to deal with service delivery and coordination across city regions. These amalgamations have resulted in municipalities of vastly different sizes. For example, the table below shows the population of the amalgamated cities as a ratio of their size (in square miles).

Chart II: population density for select cities

Municipality	Population (2006)	Size (sq miles)	Population density
Toronto	2,503,281	243.2	10293.10
Montreal	1,620,693	140.98	11495.91
Ottawa	812,129	1,072.90	756.95
Halifax	372,679	2,119.80	175.81

Source: Statistics Canada, Census 2006, by Census subdivisions.

Halifax has the among the lowest population densities of all amalgamated cities in Canada, encompassing a vast swath of territory – Toronto's, in contrast, is very high. Halifax's amalgamation has encompassed all of the developed territory of the city including vast rural lands around it and because of this, has little need of regional special purpose bodies given that it has a wide reaching general government in place already. No SPB would be adopted in Halifax's case if jurisdictional coordination were to be the major rationale. Ottawa is a special consideration given that the functional city is split between Gatineau, on the Quebec side, and Ottawa, on the Ontario side. In contrast, Toronto's amalgamation has not matched functional territory to jurisdictional boundaries. Commenting on the reforms of the 1990's in the Greater Toronto area, Marie-France Le Blanc (2006) writes, "Toronto has failed so far to meet the challenges posed by governance on a broader regional scale in line with the boundaries of an extended regional economy" (p. 582). Given this, it is unsurprising that a regional, multi-modal special purpose authority has been adopted for the Greater Toronto and Hamilton Area (GTHA). This authority – Metrolinx – is an agency of the Provincial government.

Similarly, the Montreal region has functionally extended beyond its jurisdictional boundaries and the Quebec government has also created a provincial agency - Agence Métropolitaine de Transport (AMT) - for regional transportation. AMT encompasses 83 municipalities and the Kahnawake Mohawk Reserve.

In contrast, British Columbia's municipalities, which did not experience amalgamations of the type seen in much of the rest of Canada, have a regional district system of government, with appointed-elected representatives of local governments forming the upper tier. In some cases, such as the Greater Vancouver Regional District (GVRD), transportation and transit functions have been made the purview of a regional special purpose authority. Whereas finance and land use functions for AMT and Metrolinx require the approval of the Provincial Ministries of Transportation under whose authority they fall, in Translink's case this falls to the authority of the GVRD.<sup>xx</sup>

Local government-provincial relations have been described as "hyper-factionalized quazi-subordination" in the case of Ontario (Dupre, 1968), and as "gentle imposition" in the case of British Columbia (Tennant and Zirnhelt, 1973). This characterization serves to explain the differences between how regional SPB's have evolved in both provinces. In the case of Ontario, Dupre's point about "hyper factionalization" refers to the multiplicity of bodies involved in urban governance. Further, Dupre's use of the term "quazi-subordination" implies limits to provincial authorities. Dupre was writing in 1968 – long before the province of Ontario's forced amalgamations and its increasing role in land use and transportation planning (including transit). Were he to reevaluate this assessment today, the term "quazi" would most likely be dropped. The provincial government's role in creating GTHA's regional SPB illustrates this point. In contrast, British Columbia's regional SPB for transportation and transit is governed by a council of locally-elected representatives through the GVRD. Also, in terms of planning functions, British Columbia has gone much further in terms of devolving authority in this policy sphere than that of other Provincial governments across Canada. Artibise, Cameron and Seelig (in Phares eds, 2004) note that in the case of Translink and the GVRD, "...the mandate to plan is less important than the will to plan" (209). Though the organization's mandate has changed over time, from one of hierarchal legislative power to one of a more advisory role – "the GRVD has always relied more on

informal processes than on legal relationships” - and in doing so, has been found to be quite influential (ibid). This is an important point to draw out in relation to the model depicted in Chart III. Legal status over certain functions certainly aids and facilitates influence. However it is by no means the only way for an entity to exert such influence. The political-historical-cultural dynamics in British Columbia serve to illustrate this point.

Both regional SPB’s for transportation and transit in BC and Ontario have gone through a number of governance changes; five to date in the case of Translink and two in the case of Metrolinx. Currently, the board members of the entities are all appointed members of the community, such as Vice President’s of Corporations.<sup>xxi</sup> In the case of Metrolinx (in the GTHA) the Province appoints the Board; while, in the case of Translink (Greater Vancouver), they are appointed by the GVRD. Quebec’s approach in the case of AMT differs in that the Province appoints half of the board members, while the local governments appoint the other half. Aside from formal chains of authority (e.g., budget approval processes from the Ministers of Transport in the cases of AMT and Metrolinx and GVRD in the case of Translink) board composition is an important factor in a broader understanding of public accountability.

The adoption of regional SPB’s in three of Canada’s largest metropolitan regions suggests an important governance innovation. The involvement of respective levels of government with regional SPBs cannot be considered to follow a linear trajectory. For example, while the Province of Ontario has strongly controlled Metrolinx’s developments to date (particularly as it is currently solely funded through general taxation), this is expected to change as the organization is expected to implement its own funding models by 2013. Hence, while the cases of regional SPB’s for transportation and transit planning that have been explored here have been closer to the public side of the spectrum (with a mixture of tax funded and other instruments), the different levels of government involvement and the nature of the relationship between the constituent municipalities and that of the regional body differs greatly.

## Conclusions

Out of the three countries examined here, the United States has the greatest number of regional SPBs with the greatest variation amongst institutional types. The United Kingdom has two general types of regional SPBs with the majority being joint boards – bodies arising from local government collaboration (and a bottom-up approach). Canada’s experiences with regional SPBs for transportation and transit suggest a mixed approach. Greater Montréal and Greater Toronto have provincially-led regional transportation bodies. In the case of Metrolinx (Toronto) there is no elected representation on the board, while in the case of AMT (Montreal) there is a mixture of local and provincial representation through non-elected appointees). Greater Vancouver is an example of a local government driven regional SPB. However, like Metrolinx, they have a corporate style board with non-elected representatives. Overall, provincial involvement is very strong in the three Canadian cases.

Given the history of local government reform in the three countries examined, it is unsurprising that the United States would have the most fragmentation and institutional complexity. Both Canada and the UK had successive pieces of legislation that resulted in consolidated government across large urban areas. In this way, the problem of coordination across urban regions was lessened by the presence of a local government body covering the functional area. Goldberg and Mercer (1986) argue that “the high degree of American metropolitan political fragmentation reflects the more individualistic market orientation of the American political ethos and makes centralized metropolitan planning and management more difficult in the United States than in Canada, where more value is placed on collective and government action” (cited in Rothblatt, 1994, 517).

The presence of regional SPB’s can raise new problems for transportation/transit coordination and service delivery – just at a different scale. For many SPBs, the issues of technical and jurisdictional representation have been very difficult to resolve (DeSalvo, 1973, 306). Furthermore, the incorporation of citizen interests has been problematic. Commenting on this, DeSalvo writes that this often results from the “insistence on judgments based upon the demand for system continuity for the whole metropolitan area – that analytically convenient but invisible region which corresponds to no one’s personal interest” (1973, 306). Depending on the scale at which the body operates, rural, suburban

and urban interests often collide. Given this, some fragmentation may also be necessary or desirable. This point was raised in an interview with the former Chief City Planner of Toronto and current board member on Metrolinx, Paul Bedford. He comments that:

“There are some mayoral candidates that are talking about ‘should we amalgamate the TTC [the city of Toronto’s transit commission] into Metrolinx’? I don’t think that’s the right answer. I think you need the power of the two-tier structure with Metrolinx doing the big planning and the funding - and I think it would be a big mistake if Metrolinx operated the buses and TTC everything else. It’s too complicated.” (Bedford, Interview, March 11, 2010).

It is an important point. As an institutional solution to fragmented transportation and transit planning, regional SPBs will not necessarily resolve underlying divisions across an urban region – they may instead lead to the creation of new ones. The variation across regional SPB typologies is indicative that political and historical context plays an important role in shaping these entities. For some, regional SPBs that combine strategic, tactical and operational capacities would be politically undesirable and extremely divisive.

In a comparison of the Canadian and United States planning systems and regional SPBs, several authors have concluded that planning in Canadian urban regions has a tendency to be more economically and fiscally robust due to the level of involvement of provincial governments in contrast to their American counterparts (Goldberg and Mercer 1986; Artibise 1988; Rothblatt 1994). These authors were writing prior to the adoption of regional SPBs in the greater Montreal, Toronto and Vancouver regions. An assessment of the impacts of the adoption of these bodies in these urban regions is beyond the scope of this paper. However, the literature in this area would suggest that there is a tradeoff between the regional impacts of these institutions and political representativeness. In the Canadian context, the degree of local, provincial and, to a lesser extent, federal involvement is an important consideration. While Metrolinx is a public agency, it is wholly a Provincial agency, and it can be argued that its political representativeness is weak since provincial government is not elected on the basis of transportation provision in Greater Toronto. Rather, the primary provincial issues are healthcare, education and the environment. While a provincial government can achieve a great deal as a regional SBP due to their political imperative and funding capacities, they are less representative

of local issues. Also, the internal organization of the entity is another consideration. In particular, the corporate-style boards governing Metrolinx (GTHA) and Translink (GVRD) insulate decision-making from local politics and board meetings are not held in camera.

The increasing adoption of regional SPBs in the three countries examined represents an important governance innovation – and one that will undoubtedly have lasting impacts across city regions. The vast differences across institutional types complicate broad cross-jurisdictional comparisons. This paper has endeavored to explore where regional SPBs fit on a range of continuums and to examine the differences across the UK, US and Canada. A more nuanced understanding of regional SPBs is best examined through an in-depth case study approach. The rates at which these entities are being adopted and the ongoing changes to their governance frameworks make this a constantly changing field of study and one that merits increasing attention – particularly, in the case of Canada where these entities are relatively new.

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## Endnotes

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<sup>i</sup> There are multiple definitions of the term ‘governance’ across the scholarly literature. In “Whatever happened to public administration?: governance, governance everywhere”, Frederickson (2008) in a review of the scholarly and conceptual uses of the term, finds that there are four major definitions. These are: “i) it is substantively the same as already established perspectives in public administration, although in a different language; ii) it is essentially the study of contextual influences that shape the practice of public administration, rather than the study of public administration; iii) it is the study of interjurisdictional relations and third party policy implementation in public administration; and iv) it is the study of the influence and power of non-state and non jurisdictional public collectives” (132). For the purposes of this paper, the focus is on the third definition that emphasizes interjurisdictional relations.

<sup>ii</sup> For example, Skaburkis (2004) writes, “the problems of the post-modern metropolis require regional planning” (p. 39). For him, “the increasing size of cities with the spread of low-density suburban development increases the costs of internalized externalities and the importance of metropolitan area planning and region-wide coordination of policies” (ibid, p. 39).

<sup>iii</sup> Regionalism based upon this type of competitive cities thesis is becoming increasingly influential and is grounded in a specific understanding of globalization as part of a linear trend towards global economic integration.

<sup>iv</sup> Their approach has been outlined in two horizontal synthesis reports titled *Competitive cities in a global economy* (OECD, 2006) and *Competitive cities: a new entrepreneurial paradigm in SPBtial development* (OECD, 2007). The OECD’s territorial reviews and policy recommendations in the area of urban affairs are conducted by the Working Party on Territorial Policy in Urban Areas (WPURB, est. 1999). For a summary of the OECD’s position see Appendix A2. The OECD and Models of Metro Governance.

<sup>v</sup> Webb, S.(1922). English local government: Statutory authorities for special purposes. p. 61. Available as e-book.

<sup>vi</sup> Figures from 1992 show 31,555 special districts or regional governance authorities in the United States. This figures surpasses the second most common government type—municipalities—by over 12,000 units (data from U.S. Bureau of the Census, 1992, cited in Foster, 1997, p. 2). These are also commonly referred to as special purpose districts in the United States.

<sup>vii</sup> Regional planning can take on economic (focused on economic development and growth), social (focus on equity) or physical (so as to take advantage of economies of scale in the provision of services or the harmonization of services) dimensions.

<sup>viii</sup> Herrschel and Newman in *Governance of Europe’s City Regions*, present a similar outline of three major types in their discussion of regional planning systems (2002, 70).

<sup>ix</sup> In a broad discussion of the types of models used across developed countries, Mees comments that the provision of transportation and transit by government “is much less popular than it used to be, because close political control can work against efficient operations, while the bureaucratic culture of a government department may not be the best environment to foster innovative tactical planning” (2010, 73).

<sup>x</sup> In outlining the various options it is useful to distinguish between the types of activities that such authorities may engage in – namely strategic, tactical or operational activities (Vuchic 2005, 456-459; Inno-V et al. 2008, 32-35; Mees 2010, 72). At the strategic level, overarching objectives are set such as those of environmental sustainability or equity (Mees, 2010, 72). At the tactical level, the objectives that are often stated in regional plans are expressed as service wide strategies while, the operational level deals with the day-to-day service delivery (ibid.).

<sup>xi</sup> In Scotland a separate Act was adopted that effectively regionalized local government (Local Government (Scotland) Act 1973).

<sup>xii</sup> Mark Solof, (online resource, no date given) “The History of Metropolitan Planning Organizations,” New Jersey Transportation Planning Agency, 1996 –98. (accessed online from: New Jersey Transportation Planning Authority, [http://www.njtpa.org/Pub/report/hist\\_mpo/default.aspx](http://www.njtpa.org/Pub/report/hist_mpo/default.aspx)).

<sup>xiii</sup> Mark Solof in ““The History of Metropolitan Planning Organizations,” (online resource, no date given) writes that “ the experience of the Port of New York Authority did not bode well for achieving voluntary compliance. Lacking power to force cooperation among the highly competitive freight rail companies in the region, the Port Authority was blocked in implementing many elements of its plan for creating an

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integrated freight rail network. Critics argued that the recommendations of the Regional Plan of New York, and of comprehensive plans elsewhere in the country, would be similarly blocked by the competing interests of local governments. One planning professor, Thomas Reed, in 1925 contended that the only way to insure effective regional planning was the creation of "areawide" governments with power over municipalities in setting policies for regional infrastructure".

<sup>xiv</sup> In 1972-73, environmental advocates were instrumental in blocking the passage of a highway bill until it would include the provision to authorize the use of highway monies for mass transit.

<sup>xv</sup> The 1991 ISTEA strengthened the role of local officials and the public and placed a greater emphasis on multi modal transportation initiatives. Planning also had to be pursued in a strategic and directed manner with multi year agendas with projects matched to available funds – instead of ‘wish lists’.

<sup>xvi</sup> This figure excludes the category of single purpose special district governments for air transportation.

<sup>xvii</sup> However, it should be noted the non-response rate for this particular question is disappointingly high (approximately 50% did not answer).

<sup>xviii</sup> The New York Metropolitan Transportation Council is an association of governments, transportation providers and environmental agencies that is the Metropolitan Planning Organization for New York City, Long Island and the lower Hudson Valley (<http://www.nymtc.org/>).

<sup>xix</sup> There are different classes of municipality with a major distinction between the functions of rural and municipal types where rural classes (e.g., townships) generally have far fewer responsibilities and are focused more on physical investments and less on a broad range of service delivery. Urban municipal governments can be considered general purpose – they are meant to oversee a wide range of issues.

<sup>xx</sup> E.g., Metrolinx and AMT submit their budgets to their respective Ministries for approval, while Translink submit its budgets for approval to the GVRD.

<sup>xxi</sup> Metrolinx is now in its second iteration of board governance, having moved from a board constituting the elected representatives of the local governments of the region towards a corporate board appointed by the Provincial government, while Translink is in its fifth board iteration with a corporate board appointed by the GVRD.